

## ARTICLE 59.5-01

### GENERAL ADMINISTRATION

Chapter  
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#### CHAPTER 59.5-01-01 ORGANIZATION OF BOARD

Section  
59.5-01-01-01      Organization of State Personnel Board

##### **59.5-01-01-01. Organization of state personnel board.**

1. **History and functions.** The 1975 legislative assembly passed a Central Personnel System Act, codified as North Dakota Century Code chapter 54-44.3. The Act created the state personnel board which oversees the development and administration of a unified system of personnel administration for the classified service of the state.

The board is an administrative agency separate from human resource management services of the office of management and budget, although the board and the division work closely together. The board adopts its own rules, but also reviews the division's rules. Additionally, the board can review and change pay ranges and classifications assigned to positions. The board may approve positions not to be included in the classified service.

The state personnel board also serves as the North Dakota merit system council. In this capacity the board regulates the personnel policies and practices of the state agencies which are by statute subject to the merit system. The board's regulation of merit system agencies includes approving rules established by the director of human resource management services serving as the director of the merit system council, and conducting hearings on complaints arising from compensation and pay grade.

2. **Board membership.** The board is composed of the director of human resource management services who is the chairperson; two members appointed by the governor, one of whom must have a professional human resource background; and two members elected by classified employees. The terms of all members, except the chairperson, are six years. Any vacancy in office is filled for the unexpired term in the same manner as the selection of the person vacating the office.
3. **Meetings.** The board organizes annually at the first meeting of each fiscal year. It elects a vice chairman to serve for a term of one year. It shall meet at least once a year and at such times and places as are

specified by call of the chairman or any three members of the board. All meetings are open to the public with reasonable notice provided by human resource management services. Three members constitute a quorum for the transaction of business. Three favorable votes are necessary for the passage of any resolution or taking of any official action by the board at any meeting.

4. **Board office.** All requests for information or forms required by the rules and all submissions of appeal materials must be mailed to this address postage prepaid:

State Personnel Board  
c/o Director, Human Resource Management Services  
600 East Boulevard Avenue, Dept. 113  
Bismarck, ND 58505-0120

**History:** Effective December 1, 1985; amended effective February 1, 1991; January 1, 1992; April 1, 1994; November 1, 1996; July 1, 2004.

**General Authority:** NDCC 54-44.3

**Law Implemented:** NDCC 54-44.3